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**From:** Chin, Lucita [Chin.Lucita@epa.gov]  
**Sent:** 10/9/2020 4:43:23 PM  
**To:** Arnold, Rick [Arnold.Rick@epa.gov]; Robinson, Valois [Robinson.Valois@epa.gov]  
**Subject:** RE: What is a liner? ~ Deliberative ~ Pre-Decisional ~ Attorney-Client Privilege ~

That sounds good. V

**Ex. 5 AC/DP**

Lucita Chin  
Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section  
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202  
Office: (303) 312-7832

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**From:** Arnold, Rick <Arnold.Rick@epa.gov>  
**Sent:** Friday, October 9, 2020 10:00 AM  
**To:** Chin, Lucita <Chin.Lucita@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>  
**Subject:** RE: What is a liner? ~ Deliberative ~ Pre-Decisional ~ Attorney-Client Privilege ~

**Ex. 5 AC/DP**

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**From:** Chin, Lucita <Chin.Lucita@epa.gov>  
**Sent:** Friday, October 9, 2020 9:53 AM  
**To:** Arnold, Rick <Arnold.Rick@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>  
**Subject:** RE: What is a liner? ~ Deliberative ~ Pre-Decisional ~ Attorney-Client Privilege ~

**Ex. 5 AC/DP**

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**From:** Arnold, Rick <Arnold.Rick@epa.gov>  
**Sent:** Friday, October 9, 2020 9:47 AM  
**To:** Chin, Lucita <Chin.Lucita@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>  
**Subject:** RE: What is a liner? ~ Deliberative ~ Pre-Decisional ~ Attorney-Client Privilege ~

Sounds good.

Thanks.

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**From:** Chin, Lucita <[Chin.Lucita@epa.gov](mailto:Chin.Lucita@epa.gov)>

**Sent:** Friday, October 9, 2020 9:43 AM

**To:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>; Arnold, Rick <[Arnold.Rick@epa.gov](mailto:Arnold.Rick@epa.gov)>

**Subject:** RE: What is a liner? ~ Deliberative ~ Pre-Decisional ~ Attorney-Client Privilege ~

I can help with the response. Rick, why don't you put it into the RTC and draft a response, and we can work on that. Feel free to talk to the others in the program in the meantime.

**Ex. 5 AC/DP**

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**From:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>

**Sent:** Friday, October 9, 2020 9:34 AM

**To:** Chin, Lucita <[Chin.Lucita@epa.gov](mailto:Chin.Lucita@epa.gov)>; Arnold, Rick <[Arnold.Rick@epa.gov](mailto:Arnold.Rick@epa.gov)>

**Subject:** RE: What is a liner? ~ Deliberative ~ Pre-Decisional ~ Attorney-Client Privilege ~

I was afraid of that. Rick's approach is the best, then.

*Valois*

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Valois Robinson

EPA Region 8

Underground Injection Control Program

Mail Code: 8WD-SDU

1595 Wynkoop Street

Denver, CO 80202-1129

(303) 312-6276

[robinson.valois@epa.gov](mailto:robinson.valois@epa.gov)

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**From:** Chin, Lucita <[Chin.Lucita@epa.gov](mailto:Chin.Lucita@epa.gov)>

**Sent:** Friday, October 9, 2020 9:32 AM

**To:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>; Arnold, Rick <[Arnold.Rick@epa.gov](mailto:Arnold.Rick@epa.gov)>

**Subject:** RE: What is a liner? ~ Deliberative ~ Pre-Decisional ~ Attorney-Client Privilege ~

**Ex. 5 AC/DP**

Lucita Chin

Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section

Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202

Office: (303) 312-7832

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**From:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>

**Sent:** Friday, October 9, 2020 9:24 AM

**To:** Arnold, Rick <[Arnold.Rick@epa.gov](mailto:Arnold.Rick@epa.gov)>

Cc: Chin, Lucita <[Chin.Lucita@epa.gov](mailto:Chin.Lucita@epa.gov)>

Subject: RE: What is a liner? ~ Deliberative ~ Pre-Decisional ~ Attorney-Client Privilege ~

That does sound good.

# Ex. 5 AC/DP

## Ex. 5 AC/DP

*Valois*

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Valois Robinson  
EPA Region 8  
Underground Injection Control Program  
MailCode: 8WD-SDU  
1595 Wynkoop Street  
Denver, CO 80202-1129  
(303) 312-6276  
[robinson.valois@epa.gov](mailto:robinson.valois@epa.gov)

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**From:** Arnold, Rick <[Arnold.Rick@epa.gov](mailto:Arnold.Rick@epa.gov)>  
**Sent:** Friday, October 9, 2020 9:01 AM  
**To:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>  
**Subject:** RE: What is a liner?

Thanks Valois.

## Ex. 5 AC/DP

Sound good?

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**From:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>  
**Sent:** Friday, October 9, 2020 8:14 AM  
**To:** Arnold, Rick <[Arnold.Rick@epa.gov](mailto:Arnold.Rick@epa.gov)>  
**Subject:** RE: What is a liner?

I looked it up:

# Ex. 5 AC/DP

I guess Chuck didn't address this? Or is this a 2019 comment?

Thanks!

*Valois*

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Valois Robinson  
EPA Region 8  
Underground Injection Control Program  
MailCode: 8WD-SDU  
1595 Wynkoop Street  
Denver, CO 80202-1129  
(303) 312-6276  
[robinson.valois@epa.gov](mailto:robinson.valois@epa.gov)

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**From:** Arnold, Rick <[Arnold.Rick@epa.gov](mailto:Arnold.Rick@epa.gov)>  
**Sent:** Thursday, October 8, 2020 4:29 PM  
**To:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>  
**Subject:** What is a liner?

Hi Valois,

## Ex. 5 AC/DP

Thanks.

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**From:** Arnold, Rick <[Arnold.Rick@epa.gov](mailto:Arnold.Rick@epa.gov)>  
**Sent:** Wednesday, October 7, 2020 6:01 PM  
**To:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>  
**Cc:** Minter, Douglas <[Minter.Douglas@epa.gov](mailto:Minter.Douglas@epa.gov)>  
**Subject:** One more requested revision to Class V Permit

Hi Valois,

Powertech has requested the following change to the Class V Permit related to major modifications:

**Requested Change:**

Powertech requests the following language be added to III.C.2 to allow for changes in well construction throughout the duration of well performance in accordance with the regulation: "The permittee has the flexibility to make changes in construction by means of a minor modification with the approval of the Director as long as the resulting Class V well construction is consistent with Federal UIC regulations and Part III of this Permit and so long as no change is made prior to approval by the Director. Allowable minor modifications include, but are not be limited to, adding perforations in the permitted injection zone and running a liner."

## Ex. 5 Deliberative Process (DP)

"After initial well construction is complete, any subsequent changes in well construction other than the addition of perforations to an approved injection zone in accordance with Part IV, Section F.3 will require a major modification of this Area Permit according to 40 CFR § 144.39 and § 124.5."

## Ex. 5 Deliberative Process (DP)

Thanks.

Rick Arnold  
Physical Scientist  
USEPA Region 8 Underground Injection Control Program  
(303) 312-6788